

DOCKET NO.: 24327.9

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and sole joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

### A SYSTEM AND METHOD FOR OPTIMIZING MEDICAL DIAGNOSIS, PROCEDURES AND CLAIMS USING A STRUCTURED SEARCH SPACE

the specification of which: (check one)

  X   is attached hereto.

           was filed on                                   
under Attorney's Docket Number                                   
as Application Serial No.                                   
and was amended on                                  (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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**POWER OF ATTORNEY:** As a named inventor, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Jeffrey M. Becker	Reg. No. 35,442	Michael Balconi-Lamica	Reg. No. 34,291
James R. Bell	Reg. No. 26,528	Todd Mattingly	Reg. No. 40,298
Michael S. Bush	Reg. No. 31,745	Mark E. McBurney	Reg. No. 33,114
Randall E. Colson	Reg. No. 40,566	David L. McCombs	Reg. No. 32,271
Michael A. Davis, Jr.	Reg. No. 35,488	David M. O'Dell	Reg. No. 42,044
Ruben C. DeLeon	Reg. No. 37,812	Phillip B. Philbin	Reg. No. 35,979
Timothy Headley	Reg. No. 31,765	Brandi W. Sarfatis	Reg. No. 37,713
Rita M. Irani	Reg. No. 31,028	David Simmons	Reg. No. 43,124
Warren B. Kice	Reg. No. 22,732		

Send correspondence to David L. McCombs, Haynes and Boone, L.L.P., 3100 NationsBank Plaza, 901 Main Street, Dallas, Texas 75202-3789 and direct all telephone calls to David L. McCombs at 214/651-5533.

Full Name of Inventor: A. Bryan Waters

Inventor's Signature: 

DATED: 12-22-98

Residence: 8810 Wood Glen, Rowlett TX 75082

Citizenship: United States of America

Post Office Address: \_\_\_\_\_

DOCKET NO.: 24327.9

Full Name of Inventor: Gerald J.C. Rae

Inventor's Signature: *Gerald J.C. Rae* DATED: 12/22/98

Residence: 114 WESTWIND DRIVE, COPPELL, TX 75019

Citizenship: United Kingdom

Post Office Address: \_\_\_\_\_

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Serial or Patent No.: N/A

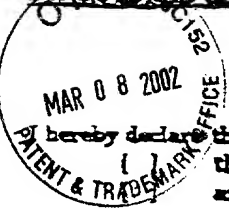
Attorney

doc. No. 24327.9

Filed or Issued: Herewith

For: A SYSTEM AND METHOD FOR OPTIMIZING MEDICAL DIAGNOSIS PROCEDURES AND CLAIMS USING A STRUCTURED SEARCH SPACE

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS;  
(37 C.F.R. § 1.9(d) and 1.27(a)) - SMALL BUSINESS CONCERN**



I hereby declare that I am:

☐ the owner of the small business concern identified below;

☐ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN DYNAMEDIK CORPORATION

ADDRESS OF CONCERN 2711 LBJ Freeway, Suite 670, Dallas, Texas 75234

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is in the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled A SYSTEM AND METHOD FOR OPTIMIZING MEDICAL DIAGNOSIS PROCEDURES AND CLAIMS USING A STRUCTURED SEARCH SPACE described in:

☒ (a) the specification filed herewith.

☐ (b) application serial no. \_\_\_\_\_, filed \_\_\_\_\_.

☐ (c) patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. § 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to "its status as small entities. (37 C.F.R. § 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐

INDIVIDUAL

☐

SMALL BUSINESS CONCERN

☐

NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐

INDIVIDUAL

☐

SMALL BUSINESS CONCERN

☐

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING BERAN J. C. RAE

TITLE OF PERSON IF OTHER THAN OWNER CHIEF TECHNOLOGY OFFICER

ADDRESS OF PERSON SIGNING 114 WESTWIND DRIVE, COPPELL, TX 75019

SIGNATURE: [Signature]

DATE: 12/23/98



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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: A. Bryan Waters et al.

Serial No.: 09/219,048

Examiner: A. Teitelbaum

Group Art No.: 2163

Filed: December 23, 1998

For: SYSTEM AND METHOD FOR OPTIMIZING MEDICAL DIAGNOSIS  
PROCEDURES AND CLAIMS USING A STRUCTURED SEARCH  
SPACE

**REVOCATION AND SUBSTITUTION OF  
POWER OF ATTORNEY BY ASSIGNEE  
AND CHANGE OF CORRESPONDENCE ADDRESS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

As Applicant of U.S. Application Serial No. 09/219,048, I hereby revoke any and all prior powers of attorney given in connection with said patent application and hereby appoint:

---

**CERTIFICATION UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on March 12, 2001.

  
Signature

Gracie Segovia

(Printed name of person certifying)

Kelly K. Kordzik, Registration No. 36,571  
Ross Spencer Garsson, Registration No. 38,150  
Barry S. Newberger, Registration No. 41,527  
Robert A. Voigt, Jr., Registration No. 47,159  
Richard F. Frankeny, Registration No. 47,573

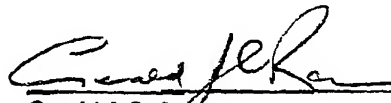
all of the firm of Winstead Sechrest & Minick, P.C., as its attorneys with full power of substitution and revocation, to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty.

Please send all correspondence, papers and notices for all purposes to the address listed below:

Ross Spencer Garsson  
WINSTEAD SECHREST & MINICK, P.C.  
5400 Renaissance Tower  
1201 Main Street  
Dallas, Texas 75270-2199

and direct all telephone calls to Ross Spencer Garsson at (512) 370-2870.

Dated: 3/12/01

  
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